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August 12, 2011

#### **VIA FACSIMILE (315) 234-8611**

U.S. Magistrate Judge George H. Lowe Northern District of New York Post Office Box 7346 Syracuse, New York 13261-7346

Re:

Lori Wood v. Zimmer, Inc.; U.S. District Court for the Northern District of New York;

Cause No. 6:11cv615

Dear Judge Lowe:

The Rule 16 Initial Telephone Conference in the above-referenced matter is set for Tuesday, August 16, 2011. We have recently received notice that a Conditional Transfer Order was entered on August 11, 2011, by the United States Judicial Panel on Multidistrict Litigation, with respect to MDL No. 2272, In Re: Zimmer NexGen Knee Implant Products Liability Litigation.

That Order, which is attached for your reference, states, "Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Illinois for the reasons stated in the order of August 8, 2011 and, with the consent of that court, assigned to the Honorable Rebecca R Pallmeyer." The referenced case now pending before your Honor is one of the identified "Tag-Along" actions.

In light of this development, we respectfully request that the Court stay the presently scheduled Rule16 Initial Telephone Conference. Plaintiffs' counsel has conferred with counsel for the defendants, and there is no objection to his request.

Thank you for your consideration. With best regards, I am,

Sincerely,

Conrad Adams
Attorney at Law

CA/pf Enclosure

cc: Counsel of Record

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# UNITED STATES JUDICIAL PANEL on MULTIDISTRICT LITIGATION

IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION

MDL No. 2272

(SEE ATTACHED SCHEDULE)

#### CONDITIONAL TRANSFER ORDER (CTO-1)

On August 8, 2011, the Panel transferred 18 civil action(s) to the United States District Court for the Northern District of Illinois for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. See \_\_F.Supp.2d\_\_ (J.P.M.L. 2011). Since that time, no additional action(s) have been transferred to the Northern District of Illinois. With the consent of that court, all such actions have been assigned to the Honorable Rebecca R Pallmeyer.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Illinois and assigned to Judge Pallmeyer.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Illinois for the reasons stated in the order of August 8, 2011, and, with the consent of that court, assigned to the Honorable Rebecca R Pallmeyer.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Illinois. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7—day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi Clerk of the Panel Case NYN/6:11-cv-00615 Document 5 Filed 08/11/11 Page 2 of 4

# IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY LITIGATION

MDL No. 2272

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS

DIST	DIV.	C.A.NO.	CASE CAPTION
ALABAMA MIDDLE			
ALM	2	11-00556	Hayes v. Zimmer, Inc. et al
ARIZONA			
AZ	2	1101418	Morgan v. Zimmer Incorporated et al
CALIFORNIA CENTRAL			
CAC	2	11-04744	Russell Wickholm et al v. Zimmer Inc et al
CAC	2	11-05155	David Sibley v. Zimmer Inc et al
CAC	2	11-05531	Elouise McKenney v. Zimmer Inc et al
FLORIDA SOUTHERN			
FLS	9	11-80672	Madden v. Zimmer, Inc. et al
GEORGIA NORTHERN			
GAN	1	11-02018	Woodard et al v. Zimmer U.S.,Inc. et al
ILLINOIS SOUTHERN			
ILS	3	11-00617	Burke v. Zimmer, Inc. et al
KENTUCKY EASTERN			
KYE	2	11-00123	Mees v. Zimmer, Inc. et al
KYE	7	11-00095	Robinette v. Zimmer, Inc. et al
KYE	7	11-00100	Perry v. Zimmer, Inc. et al
KENTUCKY WESTERN			
KYW	3	11-00358	Genslinger v. Zimmer, Inc. et al
KYW	5	11-00105	Teague v. Zimmer, Inc. et al